

## REMARKS

The Office Action of January 30, 2006 has been carefully considered. Claims 1-9, 18-21 and 23-24 are pending in the present Application. Claims 1, 18, and 21 are independent claims. Claim 10-16 have been canceled hereby without prejudice or disclaimer of the subject matter therein. Reconsideration and allowance of the Application are respectfully requested.

### Claim Rejection Under 35 USC §102

Claims 1-16, 18-21 and 23-24 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,889,953 to Thebaut et al. (hereinafter "Thebaut"). The rejection of claims 10-16 is moot due to the cancellation of the claims. This rejection is respectfully traversed.

Thebaut describes a framework for implementing a policy for network management. In one implementation described by Thebaut, the framework includes a method for defining network domains, a method for defining rules, and a policy driver to monitor objects, execute rules that are attached to the objects, and adjudicate among conflicting rules. (See column 2, lines 5-12.)

Column 3, lines 16-24, of Thebaut describes, with reference to Fig. 1, a policy framework 10 that includes a domain space 12 and a rule space 14 that make up a policy space 15. A policy driver 16 receives an input from the domain space 12 and the rule space 14, respectively. The policy driver 16 brings about enforcement of a policy in a network 18.

Column 8, lines 20-46, of Thebaut describes, with reference to Fig. 10, that there are policies that govern connections between network endpoints. The policies are also used to control how connections are processed. According to

1 Thebaut, a policy is created when a “rule is attached to a source object and a  
2 destination object.” (See column 8, lines 20-21.)

3 Column 6, lines 1-20, of Thebaut describes that network devices may be  
4 grouped together based “topology, device type, location, managerial domains,  
5 and/or the organizational structure of a network enterprise.” Devices that are  
6 grouped may be controlled or otherwise managed using a policy that applies to  
7 each of the devices in the group. Thebaut discloses the use of a policy driver 116  
8 that monitors objects in a domain space 112 and to enforce configuration policies  
9 115. (See column 6, lines 49-51.)

10 The Applicant will now explain why the teachings from the Thebaut patent  
11 do not anticipate or suggest the subject matter of the rejected claims.

12 **Claim 1** recites:

13 A method comprising:

14 evaluating a current state of each device of a plurality of devices;  
15 assigning devices of the plurality of devices to a group, the assigned  
16 devices each having a substantially common state as other devices in the  
17 group;

18 assigning at least one event-handling policy to the group, wherein  
19 the assigned policy is associated with each of the devices in the group; and  
20 reevaluating a current state of each device in the group before the  
21 assigned policy is applied to the devices in the group.

22 The claim recites “evaluating a *current state* of each device of a plurality of  
23 devices; [and] *reevaluating a current state* of each device in the group before the  
24 assigned policy is applied to the devices in the group” (Emphasis added.) Thebaut  
25 does not teach or suggest evaluating a current state of a device *before* devices are  
added to a group and then *again* before a policy is applied to the devices. In  
Thebaut devices are simply added to a group and then a policy is used to control

1 certain functionality of the devices. This is disclosed at column 6, lines 1-20 and  
2 49-51 of the relied upon patent.

3 The present claimed invention is more robust than the policy assignment  
4 process used by Thebaut. According to one aspect of the instant claimed  
5 invention, if one or more devices undergo a state change *after* assignment to a  
6 group, they are nonetheless identified when a policy is about to be assigned to the  
7 devices in the group. Those devices that have undergone a state change may be  
8 removed from the group, or some other action may be taken. This can help  
9 eliminate policy conflicts that may occur after a system or device is added to a  
10 group and the system or device has undergone a state change.

11 In accordance with the above, claim 1 is allowable over Thebaut and the §  
12 102 rejection should be withdrawn.

13 **Claim 18 recites:**

14 One or more computer-readable media having stored thereon a  
15 computer program that, when executed by one or more processors,  
16 performs the process of:

17 evaluating a current state of each device of a plurality of devices;

18 assigning devices of the plurality of devices to a group, the assigned  
19 devices each having a substantially common state as other devices in the  
20 group;

21 identifying an event-handling policy associated with the group of  
22 devices, wherein the event-handling policy defines how devices are  
23 configured;

24 assigning the event-handling policy to the group of devices; and

25 reevaluating a current state of each device before the assigned event-  
handling policy is applied to devices in the group.

The claim recites “evaluating a current state of each device of a plurality of  
devices; [and] reevaluating a current state of each device before the assigned event-  
handling policy is applied to devices in the group.” As described above in the  
response to the rejection of claim 1, Thebaut fails to teach or suggest evaluating a

1 current state of a device and then reevaluating a current state of the device before  
2 applying a policy.

3 In accordance with the above, claim 18 is allowable over Thebaut and the §  
4 102 rejection should be withdrawn.

5 **Claim 21** recites:

6 A computer-implemented method comprising:  
7 determining current states of systems in an enterprise;  
8 assigning the systems to groups based on rules associated with the  
9 groups and the current states of the systems;  
10 assigning policies to at least one particular group;  
11 reevaluating current states of each system in the particular group;  
12 if the reevaluated current states are valid according to the rules  
13 associated with the particular group, applying the policies to the systems in  
14 the particular group; and  
15 if a current state of a particular system in the particular group is not  
16 valid,  
17 updating the particular group to delete the particular system; and  
18 applying the policies to the systems in the updated group.

19 The claim recites “determining current states of systems in an enterprise;  
20 reevaluating current states of each system in the particular group; if the  
21 reevaluated current states are valid according to the rules associated with the  
22 particular group, applying the policies to the systems in the particular group; and  
23 if a current state of a particular system in the particular group is not valid, updating  
24 the particular group to delete the particular system; and applying the policies to the  
25 systems in the updated group.” As described above in the response to the rejection  
of claims 1 and 18, Thebaut fails to teach or suggest evaluating a current state of a  
device and then reevaluating a current state of the device before applying a policy.

In accordance with the above, claim 21 is allowable over Thebaut and the §  
102 rejection should be withdrawn.

1 Each of the rejected dependent claims depends from one of the independent  
2 Claims 1, 18, and 21 and includes other limitations that are not taught or suggested  
3 by the Thebaut reference. Therefore, for at least of the above reasons, Applicant  
4 respectfully submits that the §102 rejection of claims 1-16, 18-21 and 23-24 is  
5 improper. Applicant respectfully requests reconsideration and withdrawal of the  
6 rejection.

7 **Conclusion**

8 Applicant has considered the other references cited by the Office in the  
9 Office Action. None of these references appear to affect the patentability of  
10 Applicant's claims. By the foregoing remarks, Applicant believes that the pending  
11 claims are allowable and the application is in condition for allowance. Therefore,  
12 a Notice of Allowance is respectfully requested. Should the Examiner have any  
13 further issues regarding this application, the Examiner is requested to contact the  
14 undersigned attorney for the Applicant at the telephone number provided below.

15  
16 Respectfully Submitted,

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18 Date: April 28, 2006

19 By: Tim R. Wyckoff  
20 Tim R. Wyckoff  
21 Lee & Hayes, pllc  
22 Reg. No. 46,175  
23 (206) 315-4001 ext. 110  
24  
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